

WARREN ZONING BOARD OF REVIEW

July 15, 2015

Minutes

The regular meeting of the Warren Zoning Board was called to order at 7:05 pm by Chairman S. Calenda. Also present was Vice Chairman P. Attemann, A. Harrington, M. Smiley and A. Ellis. Excused were 1st Alternate M. Emmencker and 2nd Alternate W. Barrett Holby.

Approval of Minutes June 17 & 24, 2015 meetings

It was moved by A. Harrington to accept the June 17, 2015 minutes. Second by M. Smiley. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, M. Smiley, A. Harrington and A. Ellis. 5-0

It was moved by M. Smiley to accept the June 24, 2015 minutes. Second by P. Attemann. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, M. Smiley, A. Harrington and A. Ellis. 5-0

New Business

Chairman S. Calenda called Applications #15-35 & #15-36 out of order.

Application #15-34, John Quattrocchi Revocable Trust, owner and applicant, 325 Water St, Plat Map 5, Lot 1, request for a Special Use Permit under section 32-47 of the Warren Zoning Ordinance to allow a mixed use residential use in a waterfront zoning district.

Robert J Healey Jr., Esq, 75 Sowams Rd, Barrington, RI, represented John Quartrucci owner and applicant of 327 Water St. Mr. Healey explained the existing building is located in a residential and business area and working waterfront, therefore this request would be compatible with the neighboring uses. Granting of this request would not be creating a nuisance or hazard as it would become a residence and the owner and applicant would be living there himself.

John Quartrucci, owner and applicant of 327 Water St. was present to give testimony for Application #15-34. Mr. Quartrucci gave immense detail of the building, its current occupants and the changes that would be made should the application be approved. Mr. Quartrucci explained that the proposed property is currently being used as offices for Marine and Medical technology on the lower level and a display area for Living Design on the upper level. The upper level will be vacating and the space will be made into one large room. There is a complete fire separation between 325 and 327 Water St. Total living space will be approx. 2600 sq. ft., there is no manufacturing done on this property however the docks are rented. Details were given with regard to parking and there would not be any residential and commercial use on the same floor.

Public Comment

Thomas Flanagan, 46 Washington St is in support of this application that the residence would add safety to the neighborhood. He also inquired about the public access at this area. Mr. Flanagan was asked if he had contacted DEM or CRMC and was directed to speak with the Harbor Master.

It was moved by Vice Chair P. Attemann to approve Application #15-34, John Quattrocchi Revocable Trust, owner and applicant, 325 Water St, Plat Map 5, Lot 1, request for a Special Use Permit under section 32-47 of the Warren Zoning Ordinance to allow a mixed use residential use in a waterfront zoning district. Finding of fact, after hearing testimony from the applicant and their attorney, it is clear that this request would be compatible with the neighboring land uses as it will be keeping within the existing fabric of all historic downtown Warren, and it is keeping within the same uses of commercial and residential in this area. The Special Use will not create a nuisance or hazard in the neighborhood, in becoming residential it will be less intrusive than the commercial use space and it will be owner occupied. The granting of the Special Use Permit will be compatible with the Community and Comprehensive Plan by providing housing, a form of mixed use, the building and reusing or rehabilitating an existing space. The public welfare and convenience will be served by providing much needed housing. Granting of this Special Use shall be conditional that this approval is specific to this application, should there be any other residence (or units) to be added in the future for this property, it would be required for the owner to return to the Zoning Board for approval. Further, this application shall be in compliance with all other building, residential, commercial and harbor uses through the Fire, Building Official, Harbor Master, DEM and CRMC. Second by A. Harrington. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, M. Smiley, A. Harrington and A. Ellis. 5-0

(TAKEN OUT OF ORDER)

Application #15-35, 450 Main Street, LLC, owner and David Sequino, applicant, 450 Main St / 31 Child St, Plat Map 4, Lots 64, 64A, 65 & 66, request for a Special Use Permit under section 32-47 of the Warren Zoning Ordinance to allow a two family home in a village business zone.

Application #15-36, 450 Main Street, LLC, owner and David Sequino, applicant, 450 Main St / 31 Child St, Plat Map 4, Lots 64, 64A, 65 & 66, request for a Variance from sections 32-130 and 32-105 of the Warren Zoning Ordinance to allow a building to be remodeled so that the proposed residential units and commercial units are on the same floor with less than the required parking spaces. David Sequino owner of 450 Main Street, LLC and applicant of Applications #15-35 & #15-36 requested a continuance of these applications to the next meeting due to the need to go before the Planning Board with a Master Plan.

It was moved by Vice Chair P. Attemann to continue Applications #15-35 & #15-36 to the next meeting on August 19, 2015 at the applicant's request. However, if at that time the applicant is not ready, the applicant will need to return to request a continuance. Second by A. Harrington. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, M. Smiley, A. Harrington and A. Ellis. 5-0

Application #15-37, Morton, Keith & Kathleen, owners and applicants, 104 Birch Swamp Rd, Plat Map 22, Lot 130, request for a Variance from section 32-88.C. of the Warren Zoning Ordinance to construct an accessory structure in a front yard area.

Keith Morton owner and applicant was present to give testimony for Application #15-37, request for a Variance from section 32-88.C, to construct an accessory structure in a front yard area. The proposal is

to construct a 20' x 22' timber frame barn to be positioned at the front of the house due to the lot being of an odd shape, existing septic system, pre-existing well and a portion of the property being in Massachutes. There will be electric installed in the barn but will not have plumbing. The barn will be used for basic farm type personal uses.

Public Comment – NONE

It was moved by A. Harrington to approve Application #15-37, Morton, Keith & Kathleen, owners and applicants, 104 Birch Swamp Rd, Plat Map 22, Lot 130, request for a Variance from section 32-88.C. of the Warren Zoning Ordinance to construct an accessory structure in an area that could be described as the front yard. Finding of fact after hearing testimony from the applicant the hardship is due to the unique characteristics of the subject land, the nature of the lot is pre-existing with some wetlands as well as other restrictive items which are not the result of any prior action of the applicant. The granting of the application will not alter the characteristics of the surrounding area, it is all farm land and the presences of the barn will not be intrusive nor will it be unusual for the area. Finding of fact, this is the least relief necessary for this project given the restrictions of the lot. Granting shall be conditional that the agricultural use on this property shall be strictly for private use and will not be misconstrued for any commercial agricultural activity. Second by P. Attemann. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, M. Smiley, A. Harrington and A. Ellis. 5-0

Administrative Matters - NONE

Adjourn

It was moved by A. Harrington to adjourn the meeting at 7:48 pm. Second by P. Atteman. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, M. Smiley, A. Harrington and A. Ellis. 5-0

Respectfully Submitted,

Rhonda Lee Fortin